

Serial No. 10/081,347

5

REMARKS

Reconsideration of the application in view of the above amendments and following remarks is requested. Claims 19-39 have been cancelled as withdrawn claims directed to a non-elected invention. Claims 1, 4, 7, 10, 13, and 16 have been amended to recite the specific function of the polypeptides encoded by the present polynucleotides. Support for these amendments can be found at least at page 42, lines 8-15; page 51, lines 27-36; and page 58, line 32- page 59, line 1 as well as the teachings further described below. No new matter has been added with these amendments. Claims 1-18 are currently pending.

**I. Rejection under 35 U.S.C. § 112 (1<sup>st</sup> ¶ )**

The only remaining outstanding rejection in this case is a rejection of all the claims for lack of written description. In particular, the Examiner notes at p. 3, lines 7-10 that "the claims do not require that the polypeptide possess any particular biological activity . . . thus, [the claim genus] is defined only by sequence identity." This leads to an alleged lack of written description for the full claim genus. Although Applicants do not agree with the Examiner's assessment of this issue, all independent claims have been amended to provide a functional limitation for the polypeptide encoded by the claimed polynucleotides, therefore overcoming the Examiner's concerns about the definition of the claimed genus and overcoming the rejection based on written restriction. This limitation is well supported in the present specification as outlined above. Furthermore, assays for such proliferative activity, albeit well known in the art, are extensively disclosed at p. 42, line 16 – p. 43, line 5. Accordingly, withdrawal of this rejection is respectfully requested.

On the basis of the above amendments and remarks, Applicants believe that each rejection has been addressed and overcome. Reconsideration of the application and its allowance are requested. If for any reason the Examiner feels that a telephone conference would expedite prosecution of the application, the Examiner is invited to telephone the undersigned at (206) 442-6627.

Respectfully Submitted,

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Registration No. 36,352Enclosures: Request for Extension of Time (in duplicate)  
Amendment Fee Transmittal (in duplicate)